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SUBJECT: Lukashenko Tightens Control over Donations

¶1. Summary: On July 1 President Lukashenko issued edict 300, "On the Provision and Use of Donations." The document puts legal bounds on who can provide and receive donations in Belarus and for what purposes. It further restricts the provision of material support to any opposition political and public activities in Belarus. In real life the situation will not change much, since these restrictions have unofficially been in place for quite a while. End Summary.

¶2. Under the new edict, donations in the form of money, property, property rights, labor and services can be provided by Belarusian legal entities and individual entrepreneurs to organizations, individual entrepreneurs and individuals. The edict specifically indicates that demanding a donation is prohibited. [Note: This will hardly stop the numerous arm-twisting "requests" of local authorities to support the construction of the National Library, grand ice-hockey palace, etc.]

¶3. Among other things the edict welcomes the provision of donations for the following purposes: support of agriculture, the Olympic movement and sports, medical facilities, rehabilitation of historical monuments, support of seniors and the disabled, conducting scientific research, and protection of the environment. It also specifically allows supporting religious organizations registered in Belarus.

¶4. The edict prohibits granting donations for the purposes of changing Belarus' constitutional system, seizure of state power, propaganda of war and other illegal activities. Furthermore, donations are not allowed to help prepare and conduct elections, referenda, mass rallies, demonstrations, strikes, seminars, the production and distribution of printed materials, and other political activities in Belarus.

¶5. The National Assembly, Central Election Committee, Judiciary, Presidential Administration, Prosecutor's Office and other senior agencies cannot provide donations unless authorized to do so by the President. Donations of other government agencies are cleared by the Council of Ministers. Other state organizations, including businesses with more than fifty percent shares in government ownership need the approval of respective government officials to make a donation.

¶6. Belarusian law provides next to no tax benefits/exemptions to providers/receivers of donations.

Such benefits are only available by personal direction of the President. Violation of this edict is punishable under the Administrative Code and could lead to fines.

17. Comment: The edict does not change Belarus' political landscape much. Domestic donors have never publicized their support to the political opposition; in fact, any domestic support for the opposition is a deeply buried secret. This edict is just another step in the GOB's comprehensive effort to put legal barriers around any potential protest in Belarus. However, it will have the effect of making it much more difficult for NGOs which are not overtly political, but which are also not fulfilling the regime's priorities, to attract private, domestic sponsorship.

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